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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/679,614

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Takeshi Watanabe

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3329

7590 07/30/2008
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EXAMINER

CHIEN, LUCY P

ART UNIT

PAPER NUMBER

2871

MAIL DATE

DELIVERY MODE

07/30/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/679,614	WATANABE, TAKESHI	
	Examiner	Art Unit	
	LUCY P. CHIEN	2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/6/2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-9 is/are pending in the application.
- 4a) Of the above claim(s) 9 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7 and 8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/6/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/10/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

Election/Restrictions

Applicant's election without traverse of Species I in the reply filed on 5/6/2008 is acknowledged.

Response to Arguments

Applicant's arguments with respect to claim 1-5,7,8 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-5,7,8 are rejected under 35 U.S.C. 102(b) as being anticipated by Hara Chie et al (JP 08-281856).

Regarding Claim 1,

Hara Chie et al discloses (abstract and drawing 1 and drawing 3) a transparent coordinate input device comprising a first transparent base material (1b) having a first transparent resistance film thereon (3b), and a second transparent base material (1) facing said first transparent base material (1b) with a clearance there between (gap formed by 4) and having a second transparent resistance film (3) disposed thereon opposing said first transparent resistance film (3b), plural ridge portions (3 the zigzag electrode) having a predetermined pitch in at least one of said first and second

transparent resistance films, wherein the ridge portions (3 zigzag) have a polygonal shape (having many sides) in section and are projected strips longitudinally extending in one direction (Hara Chie et al does not show a view from the top of Drawing 1-Drawing 3 which would show the polygonal shape in section and are projected strips longitudinally extending in one direction. However, if you have the embodiment of Drawing 1-Drawing 3 then you have a polygonal shape (having many sides) in section and are projected strips longitudinally extending in one direction).

Regarding Claim 2,

Hara Chie et al discloses (abstract and drawing 1 and drawing 3) wherein plural projected stripes of a polygonal shape in section constructed by plural faces inclined at angles different from each other are formed at a predetermined pitch in said ridge portions.

Regarding Claim 3,

Hara Chie et al discloses (abstract and drawing 1 and drawing 3) wherein the forming pitch of said ridge portions is between 300 μm which are overlapping ranges of 100 to 5000 μm inclusive [0010]. See In re Aller, 105 USPQ 233.

Regarding Claim 4,

Hara Chie et al discloses (abstract and drawing 1 and drawing 3) wherein the heights of said ridge portions are set to range from 0.5 or more or 5 μm or less which is an overlapping range of 0.1 to 10 μm inclusive.[0010] See In re Aller, 105 USPQ 233.

Regarding Claim 5,

Hara Chie et al discloses (abstract and drawing 1 and drawing 3) a liquid crystal display panel which [0004].

Regarding Claim 7,

Hara Chie et al discloses (abstract and drawing 1 and drawing 3) wherein a projected stripe of a polygonal shape in section is intermittently formed in an extending direction in said ridge portion.

Regarding Claim 8,

Hara Chie et al discloses (abstract and drawing 1 and drawing 3) wherein said ridge portion is extended in rhea direction inclined at a constant angle with respect to each of two perpendicular sides for partitioning a pixel of said liquid crystal display panel.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUCY P. CHIEN whose telephone number is (571)272-8579. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on (571)272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lucy P Chien
Examiner
Art Unit 2871

/David Nelms/

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Supervisory Patent Examiner, Art Unit 2871